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The Honorable Timothy W. Dore  
Confirmation Hearing: August 3, 2016

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10 UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

11 In Re:  
12 Brenda Robinson and Jeremy Robinson,  
13 Debtor.

14 Case No. 16-12698-TWD  
Chapter 13

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The total amount owing on Secured Creditor's senior lien was \$315,712.50 as of 06/22/2016. Ongoing regular post-petition monthly payments are adjustable but are currently \$1,455.00.

## II. ARGUMENT

Pursuant to 11 U.S.C. § 1322(b)(5) a Chapter 13 Plan may "provide for the curing of any default within a reasonable time and maintenance of payments while the case is pending on any...secured claim on which the last payment is due after the date on which the final payment under the plan is due." The default must be cured during the life of the plan, which cannot exceed five years. 11 U.S.C. § 1322(d)(1). The approximate pre-petition arrearage owed to secured Creditor is \$33,932.53. In order to cure this arrearage during the life of the Plan, Secured Creditor must receive monthly payments of \$942.57 over 36 months or \$565.54 over 60 months. As proposed, the Debtor's Plan will not cure the arrearage over the life of the Plan.

Finally, Debtor's plan appears incomplete. Paragraph XII(D) indicates Debtor "has/will be apply for a loan modification," however, the date by which this will be completed is blank. It is also unclear if the loan modification has already been applied for. Creditor requests that an application be required to be submitted within 30 days.

### III. CONCLUSION

WHEREFORE, for the foregoing reasons Secured Creditor respectfully requests confirmation of the proposed Chapter 13 plan, dated June 3, 2016 be denied, or in the alternative, be amended to resolve the objection herein.

DATED: June 24, 2016

/s/Lisa McMahon-Myhran  
Lisa McMahon-Myhran, WSB #27559  
ROBINSON TAIT, P.S.  
Attorneys for FV-1, INC. IN TRUST FOR MORGAN  
STANLEY MORTGAGE CAPITAL HOLDINGS LLC and  
its successors and assigns

Lisa McMahon-Myhran, WSB #27559  
Robinson Tait, P.S.  
710 Second Avenue, Suite 710  
Seattle, WA 98104  
Phone: 206-676-9640  
Fax: 206-676-9659

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

In Re:	BANKRUPTCY NO. 16-12698-TWD
BRENDA ROBINSON AND JEREMY ROBINSON, Debtors.	CHAPTER NO. 13 PROOF OF SERVICE

Kathleen Guinee, under penalty of perjury under the laws of the United States, declares as follows:

1. That I am a citizen of the United States, over the age of 21 years, and competent to be a witness herein.

2. That on June 24, 2016, I transmitted by depositing in the United States mail, postage prepaid (as indicated herein), copies of the:

## Objection to Confirmation of Plan

addressed as follows:

Brenda Robinson  
Jeremy Robinson  
34915 46th Ave S  
Auburn, WA 98001

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**PROOF OF SERVICE - 1**

*Law Offices of*  
**ROBINSON TAIT, P.S.**  
710 Second Avenue, Suite 710  
Seattle WA 98104

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2 and transmitted electronically via ECF to:  
3  
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Brigette Lotte Ohlig

K Michael Fitzgerald

U.S. Trustee

8 Dated June 24, 2016  
9  
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/s/Kathleen Guinee

Kathleen Guinee

PROOF OF SERVICE - 2  
60279-01599-BK-WA

Law Offices of  
**ROBINSON TAIT, P.S.**  
710 Second Avenue, Suite 710  
Seattle WA 98104